

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)  
5010-095-01

In re Application of: Jeffery D. FRAZIER

Application No.: 10/800,388

Filed: March 12, 2004

For: MICRODEVICE WITH INTEGRATED MEMORY

The owner\*, Applied Biosystems Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/959,746, filed on October 6, 2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. Ownership of the present application and the co-pending patent application can be found at Reel 012182, Frames 0523-0525, Reel 013367, Frames 0173-0183, and Reel 021385, Frames 0535-0540, of the USPTO Assignment Records Branch. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

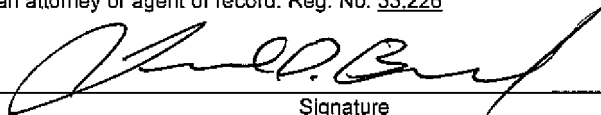
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,226

  
Signature

08-19-08

Date

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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